



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Application of
PATRICK C. MARKS et al.

Serial No. 10/051,003

Filed: January 18, 2002

For: MULTIPLE FREQUENCY
HELMHOLTZ RESONATOR

Examiner:

TU M. NGUYEN

Art Unit: 3748

Atty. Docket: 9319

TRANSMITTAL OF NOTICE OF APPEAL

AND THE APPEAL BRIEF

Commissioner for Patents
Washington, DC 20231

RECEIVED
JUL 16 2003
TECHNOLOGY CENTER R3700

Sir:

Transmitted herewith, in triplicate, is the Appeal Brief in this application, with respect to the Notice of Appeal also transmitted herewith, whereby the Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 3, 7 and 9, issued by the Examiner on May 23, 2003.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, under 37 C.F.R. 1.10 as "Express Mail Post Office to Addressee"

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William W. Habelt
William W. Habelt
July 9, 2003



Applicants previously filed a Notice of Appeal in this Application on January 15, 2003 and transmitted the Appeal Brief in respect thereof on January 16, 2003.

The Fee of \$320.00 for filing that prior Notice of Appeal was debited against Deposit Account 03-0835 in the name of Carrier Corporation on January 17, 2003. (See attached copy of Deposit Account Statement.)

The Fee of \$320.00 for filing the prior Appeal Brief was debited against Deposit Account 03-0835 in the name of Carrier Corporation on January 27, 2003. (See attached copy of Deposit Account Statement.)

In view of the prior payment of these Fees in this application, it is believed that no additional Fees are due for the submittal of the accompanying Notice of Appeal and Appeal Brief. However, if Applicants are in error and fees are now due, please charge any fees required to Deposit Account 03-0835 in the name of Carrier Corporation.,

Respectfully submitted,
Patrick C. Marks et al.

William W. Habelt
Reg. No. 29,162
Tel: (315) 433-4819
Fax: (315) 433-4075

July 9, 2003
Carrier Corporation
Carrier Parkway
P.O. Box 4800
Syracuse, NY 13221-4800

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A/13748

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/051,003
		Filing Date	January 18, 2002
		First Named Inventor	Patrick C. Marks
		Art Unit	3748
		Examiner Name	Tu M. Nguyen
Total Number of Pages in This Submission	30	Attorney Docket Number	9319

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): _____
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Remarks

Certification of Express Mailing
 Return Receipt Postcard
 January 2003 USPTO Deposit Account Statement Showing Previous Payment
 Transmittal of Notice of Appeal and the Appeal Brief

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	William W. Habelt
Signature	
Date	July 9, 2003

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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On July 9, 2003

William W. Habelt

Date of Signature: July 9, 2003

The following items of correspondence are being transmitted under this Certificate of Mailing re:

Applicant: Patrick C. Marks, et al
Serial No.: 10/051,003
Filed: January 18, 2002
Title: MULTIPLE FREQUENCY HELMHOLTZ RESONATOR

Transmittal Form – 1 page
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Requested Statement Month: January 2003

Deposit Account Number: 030835

Name: CARRIER CORPORATION

Attention: ATTN: WILLIAM W. HABELT

Address: ADMINISTRATIVE & RES BLDG

City: SYRACUSE

State: NY

Zip: 13221

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEES CODE	AMT	BAL
01/02	379	10312313	60,246-196	1613	\$890.00	\$44,806.92
01/02	380	10312313	60,246-196	8021	\$40.00	\$44,766.92
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01/09	1	09849705	10177	1401	\$320.00	\$44,362.92
01/09	13	10337591	R4827 (10635 1001		\$750.00	\$43,612.92
01/10	53	10338447	60,249-168/1	1001	\$750.00	\$42,862.92
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01/28	92	10263003	10066	8021	\$40.00	\$33,338.92
01/30	42	PAYMENT		9203	-\$50,000.00	\$83,338.92
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01/31	168	1220761		8522	\$150.00	\$83,108.92